

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In the Matter of Arbitration of Certain Controversies between, :

ODEON CAPITAL GROUP LLC, :

Petitioner, :

— and — :

AURIGA USA, LLC, :

Respondent. :

Case No. 18-cv-_____

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**DECLARATION OF ERIC R. STER IN SUPPORT OF PETITION TO
VACATE ARBITRATION AWARD**

1. I, ERIC STERN, pursuant to 28 U.S.C. § 1746 declare the following under the penalty of perjury:

2. I am a partner in the law firm of Sack and Sack, LLP, attorneys for Petitioner Odeon Capital Group LLC, and as such I am fully familiar with the facts and circumstances contained herein.

3. I submit this Declaration in support of Petitioner' Petition to Vacate the arbitration award rendered in the arbitration proceeding administered before the Financial Industry Regulatory Authority, Inc. ("*FINRA*"), captioned, Odeon Capital Group, LLC v. Mihir Patel and Auriga USA, LLC, before the FINRA Office of Dispute Resolution, FINRA Case Number 16-00033 (the "*Arbitration*").

4. Attached hereto as Exhibit A is a true and complete copy of Petitioner's Statement of Claim, dated December 30, 2015.

5. Attached hereto as Exhibit B is a true and complete copy of Respondent

Auriga's Submission Agreement, dated March 21, 2016.

6. Attached hereto as Exhibit C is a true and complete copy of Respondent Auriga's Statement of Answer, dated March 25, 2016.

7. Attached hereto as Exhibit D is a true and complete copy of Respondent Motion to Compel Production and Motion to Impose Discovery Sanctions, dated, September 8, 2016.

8. Attached hereto as Exhibit E is a true and complete copy of Respondent's Supplemental Motion to Compel Production and Motion to Impose Discovery Sanctions, dated, October 31, 2016.

9. Attached hereto as Exhibit F is a true and complete copy of Respondent's Motion to Dismiss Statement of Claim for Material and Intentional Failures to Comply with the Panel's Discovery Order, dated January 17, 2017.

10. Attached hereto as Exhibit G is a true and complete copy of the FINRA Arbitration Panel's Order, dated, March 21, 2017, which denied both Auriga's Motion to Dismiss and Auriga's Motion for Sanctions.

11. Attached hereto as Exhibit H is a true and complete copy of Auriga's submission for attorneys' fees and expenses, dated July 24, 2017.

12. Attached hereto as Exhibit I is a true and complete copy of the Award Service letter sent by FINRA Dispute Office of Resolution to Petitioner.

13. Attached hereto as Exhibit J is a true and complete copy of the Executed Arbitration Award.

14. Attached hereto as Exhibit K is a true and complete copy of the FINRA Arbitrator's Guide (October 2017).

Dated: February 12, 2018
New York, New York

A handwritten signature in dark ink, reading "Eric Stern" in a cursive script.

By: _____
Eric R. Stern, Esq.
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Attorneys for Petitioner Odeon Capital Group, LLC